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JUN 25 1982
ALEXANDER L. STEVAS,
CLERK

81-2364

IN THE

SUPREME COURT OF THE UNITED STATES

JUNE TERM, 1982

No. _____

ALEXANDER GEE,

PETITIONER,

vs.

RENNIE F. GEE,
MILTON C. DAWSON,
DUKE D. ROUSE,
HOWARD B. WEINER and
RAGER, RAGER & WINSTEAD

RESPONDENTS

PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

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Pro Se

QUESTION PRESENTED

1. Do federal courts have jurisdiction in the violation and deprivation of of rights secured by Constitution and Laws of the United States by conspiracy to commit bribery and obstruction of justice?

2. Are the Immigration Laws of the United States dilutable? Is the white citizens conspiracy of the instant case in the divorce action a dilution?

3. Is the judgment of the trial court and the Court of Appeals constituted a motion of the court and an act of ex mero motu and not a tenet of due process of law? Is the issue beyond res adjudicata are coram non judice and void?

4. Is the judgment below constituted a cruel and unusual punishments?

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1/Petitioner in the process of submitting petitions of related cases to the Court from the California Supreme Court, Alexander Gee vs. Ronnie F. Gee and Alexander Gee vs. Milton C. Dumpson et. al.

TABLE OF AUTHORITIES

Cases:

Adams v. Rark Ridges
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Byrd v. Breshke
(1972 CA7 Ill) 466 F2d 610 16

Davidson v. New Orleans
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Haines v. Kerner
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Marshall v. Sawyer
(1962 CA9 Nev.) 301 F2d 639 16

Nobel v. Union River Logging R. Co.
147 U.S. 165, 173 (1892) 9

Roller v. Holly
Supra at 409 11

Roynolds v. Stockton
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No.

ALEXANDER GEE,

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RENNIE F. GEE,
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HOWARD B. WEINER,
RAGER, RAGER & WINSTEAD,

Respondents.

PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF
APPEALS FOR THE NINTH CIRCUIT

The petition, Alexander Gee, respectfully prays that a writ of certiorari issue to review the judgment of the United States court of Appeals for the Ninth Circuit

entered on March 26, 1982.

OPINION BELOW

The Court of Appeals entered its Memorandum decision affirming the trial court decision on January 7, 1982. A copy of the Memorandum is attached as Appendix A.

The Court denied appellant's petition for rehearing with 26 copies for entire court was denied by judges of the original panel. Petitioner is not a law student and he did not stated en banc for rehearing. A copy of the order of March 26, 1982 is attached as Appendis B.

JURISDICTION STATEMENT

Jurisdiction of this Court is invoked pursuant to 28 USC 1254(1)[1/] and any federal rights whether or not capable in itself of being brought here by appeal.

1/ No other petitioner is involved in this petition.

PERTINENT CONSTITUTIONAL AND STATUTORY PROVISION

CONSTITUTION OF THE UNITED STATES:

Artical I Section 10(1) .... No state shall pass any Bill or Law impairing the Obligation of Constracts.

Artical I Section 8(4) The Congress shall have Power To establish an uniform Rule of Naturalization, and .....

Artical VI(2) This constitution, and the laws of the United States .... Shall be supreme Law of the Land; .....

Amendment XIV ..... nor shall any person .... be deprived life, liberty, or property without due process of law, nor deny any person within it judisdiction the equal protection of laws.

Title 42 U.S.C.A. Paragraphs:

1981 .... all person have equal privileges and equal penalities,

1982 .... all person have equal right to hold and convey property,

1983 .... permits individuals to file suit against anyone who act under color of law to deprive citizen of "any right, privileges or immunities secured by the Constitution and laws."

1985 ... right to be free of conspiracy and equal protection of law.

CALIFORNIA CONSTITUTION PROVISION RELATED TO RIGHT:

Section 1, all peope have inalienable right, Amongs these are .... life and liberty, accquiring, possessing, and protecting property, ...

Section 7(a) A person may not be deprived of liberty, or property without due process of law or denial equal protection of laws.

Section 7(b) A citizen or class of citizen may not be granted privileges or immunity not granted on same terms to all citizen. Privileges or immunities granted by Legislature may be altered or revoked.

Section 21. Property owned before marriage or accquired during marriage by gift, will or inheritance is seperate property.

Section 26. The provision of this Constitution are manatory and prohibitory, unless by express words they are declared to be otherwise.

CALIFORNIA PENAL CODE:

Section 182. Conspiracy consists of any agreement between two or more person to comit any crime ... due administration of justice .....

Section 182(3) Falsely to move or maintain any suit, action or proceeding.

Section 182(4) To cheat and to defraud any person of any property by any means which themself criminal, or to obtain

money or property by false pretense or by false promisses with fraudlent intent not to perform such promise are conspiracy.

Section 503. Embezzlement is the fraudulent appropriation of property by a person to whom it has been instrusted.

CALIFORNIA CIVIL CODE PROCEDURE:

SECTION 1858. "In the construction of a statute ... the office of the judge is simply to ascertain and declare what is in terms or in substaince contained therein, not to insert what has been omitted, or omit what has been inserted, and where there are several provisions or particular, such a construction is, if possible to be adopted as will give effect to all.

Section 4425(d) Voidable marriage, the consent of either party was obtained by fraud, unless such party afterward, with full knowlege of facts constituting the fraud, freely cohabited with other as husband and wife.

Section 4531. Expressly grants jurisdiction to the Superior Court in material dispute case to inquire into parties property rights and to make appropriate judgment and order to settle these right.'

Section 4533 Entery of Final Judgment Notice. When six months have expired from the date of filing joint petition from summary disolution, the court may ..... enter the final judgment disolution of marraige, ... The clerk shall send a notice of final judgment to each of the parties at his or her last known address.

Section 4801. Spouse Support Order and Decree of Disolution:

1. The earing capacity of each party,
2. The need of each party,
3. .....
8. The standard of living of each party.

Section 5108. All property owned by husband before marraige and accquired afterward by gift, bequwst, devise, or descent, with rent, issues and profit of, is his seperaty. .....

Section 5110. Community property presumption acquistion by husband and wife except as provided in Section 5107, 5108, and 5109.

CALIFORNIA STATE BAR RULES IN THE CALIFORNIA RULES OF COURT:

Rule 6-101(2) A member of the State Bar shall not wilfully or habitually fail use reasonable diligence and his best judgment in exercise of his skill and in the application of his learning in effort to accomplish, with reasonable speed, the purpose of which he employed. The good faith of an attorney is a matter to be considered in determining whether acts done through ignorance or mistaking warrent imposition of discipline of fziling to act competenly.

Rule 7-103. A member of the State Bar shall not communicate directly with party whom he knows to be represented by consel upon a subject of controversey without the express consent of the such counsel.

Rule 7-107(a) A member of the State Bar shall not suppress any evidence that he or his client has a legal oligation to reveal or produce.

GOVERNMENT CODE 820-821:

A public employee is not exonerate from liability for injuries proximately caused by his own negligence or wrongful act or omission. (judge included)

STATEMENT OF THE CASE

On January 7, 1982, a panel of the Ninth Circuit of Appeals affirmed the trial court judgment for dismissal for lack of jurisdiction in the complaint of conspiracy to commit bribery and obstruction of justice that deprived petitioner's federal right and constitutional right. In addition, the deprivation involves a property interest protected by Section 1 of the Fourteenth Amendment of the Constitution of the United States. A timely petition for rehearing pursuant to Rule 35(d) and 40 of the Federal Rules of Appellate Procedure was filed on January 12, 1982, and the petition was denied on March 26, 1982.

In the petition for rehearing, petitioner listed a blatant and grievous error of

the Memorandum and they are as follows:

1. Rennie F. Gee and petitioner were married in person under foreign marraige with marriage agreement of a sovereign state. In adition, both parties are citizen of diversity to the State of California.

2. The conspiracy of the respondents are white citizens and Rennie F. Gee was under extortion by the white citizen. It has no dilution and was from recent divorce action. The dilution issue is a motion of the court. "The courts cannot ex mero motu; set themselves in motion, nor have they power decide question except such as presented by the parties in their pleadings. The parties, by their attorneys, make the record, what is decided within the issue is res adjudicata; anything beyond is coram non judice and void," State ex rel Muench, 217 Mo. 124, 138, 117 S.W. 25, 29 (1909), quoting Andrews' Stephen's Pleading, 2d Ed.,

p. 34. See also, Noble v. Union River Logging R. Co., 147 U.S. 165, 173 (1892); Reynolds v. Stockton, 140 U.S. 254 (1890).

3. Petitiner cited the Immigration Laws of the United States posted by the power of Artical I Section 5(4) of the Constitution of the United States, recites no statute of limitations. United States v. Feodor, before this Court on January 21, 1981 The Register, page A7, January 22, 1981. See also the decision of this Court against Romanian Orthodox Bishop Valerian Trifa as reported in the Daily Report May 17, 1982 when he surrendered his right as a naturalized American citizen.

4. Petitioner's property right are secured Section 21 of the California Constitution Provision Related to Right recited no statute of limination and manatory. In addition, it is also protected by Section 1 of the Federal Constitution's Fourteenth

Amendment and contractal obligations.

5. Petitioner's right to an annulment of marriage under contractal obligation and a viodable marriage under CCPS 4425(d).

6. The trial court's judgment are motion of the court is coram non judice and void.

7. Rennie F. Gee is not a mail-order bride. The panel judge knew the Immigration Service and/or the Depatrment of State will not issue for mail-order bride. It is a defamation of the Immigration Laws of the United States.

8. There are no argument before the panel of the Ninth Circuit Judge by the respondents and/or their attorney that the federal court has no jurisdiction of the above entiled action. A bystander stated the judge asked the attorney something to the effect about the form petitioner had in his complaint verse its validity. The impression is the judge was about to shoot

the attorney down. Petition has no notice of his argument other than in the respondent's reply brief. The Court has said that the requirment of notice would be of no value whatever, unless such notice were reasonable and adequate for the purpose. Roller v. Holly, supra at 409 citing Hagar v. Reclamation District, 111 U.S. 701, 707, (1883); Davidson v. New Orleans, 96 U.S.97 (1877). At 410: "A man should not be required, omissis omnibus aliis negotiis, instantly to answer a charge of supposed offence necessarily less than an indictable misdemeanor, on the same or even the next day, and should be allowed to collect his evidence.". The right to present a defense is rendered nugatory when a court deprived the party of an opportunity to prepare the defense. "The right to a 'full hearing' embraces not only the right to present evidence,, but also reasonable

opportunitty to know the claims of the opposing party, and to meet them." Morgan v. United States, 304 U.S. 1, 18 (1937).

9. Petitioner has submitted records of his and his children's property right that have been impinged. The interlocutory judgment is conspiracy of the respondents. In the testimoney given Rennie F. Gee in the interlocutory, she agreed with petitioner that that the home, business and business property, as will as ownership of all stocks are petitioner's property before marriage and the buiness is operated al loss. The money she earn during her employment as petitioner's wife had been embezzeled and deprived petitioner right.

10. The respondent did not acted in the undisputed claims of petitioner's ownership of his stocks and all valuable he deposited in his deposit boxes and conspired with Rennie F. Gee in larcery.

11. From respondent Answering Brief, attorney for Rager, Rager & Winstead reveal the respondents'conspiracy and concealed the Final Judgment Hearing and the concealment of the Final Notice from petitioner. In a related case appeal this Court petitioner discovered that the respondents concealed the prejury application for the Disolution of marriage. The concealed by the respondents are evidences for their conspiracy to deprived petitioner property right and his demand for an annulment of marriage. Petitioner would have never agreed to the interloctory settlement nor would given consent to a disolution of marraige. The Final Judgment judge's record of jurisdiction also a prejury. The court record of the Final Judgment Hearing was destroyed by conspiracy.

12. The jurisdiction court record of Judge Howard B. Weiner are also a prejury.

He was a shopping judge accquired by the respondents overnight for the instant case of conspiracy to committed bribery and obstruction of justice that deprived petitioner property right under Section 1 of the Fourteenth Amendment of the Constitution of the United States.

13. The court record of the Show Cause Hearing before Commissioner Duke D. Rouse also destroyed. A letter from the court reporter stated to the missing document is in petitioner's Opening brief.

14. Four circuit judges of the Ninth Circuit affirmed the instant case is for Federal court action, the Honorable SNEED and REINHARD for the denial of appellee's to Affirmance of Lack of Jurisdiction, and the Honorable BROWING and KENNEDY for renewal of district court action.

WHY CERTIORARI SHOULD BE GRANTED

1. Argrument:

Petitioner's averment of property right has records and document and was suppresed by the respondents in conspiracy to commited bribery and obstruction of justice. A person is entitled to the property right under the Fourteenth Amendment of the United States and defendant acting under "color of law" who interferres with this right is subject to civil right action based on 42 U.S.C.A. Paragraph 1983 . Adams v. Park Ridges (1961 CA7 Ill) 293 F2d 585;.

This Court has indicated that a motion to dismiss in a Paragraph 1983 action in not to be granted unless it appears beyond doubt that plaintiff can prove no set of facts in support of his claim which would entitle him to relif. Haines v. Kerner, (1972) 404 U S 519, 30 L Ed 652, 92 Ct 594, 596 reh den 405 U S 948, 30 L Ed 2d 819, 92 S Ct 963.

The Ninth Circuit Court of Appeals has

said, "The only elements which need to be present in order to establish a claim for damages under civil right act are that the conduct complained of was engaged in under color of state law, and such conduct subject the plaintiff to deprivation of right, privilege, or immunities secured by the Constitution of the United States. Marshall v. Sawyer (1962 CA9 Nev) 301 F2d 639.

The Court of Appeal for the Seventh Circuit states, " .... he is responsible if his ommission is unreasonable in the light of circumstance". Byrd v. Brashke, (1972 CA7 Ill) 466 F2d 610.

In appeal to the Ninth Circuit Court, petitioner submitted records and a list of property that are his sole and seperate property secured by constitution and law. The Judge Panel of the instant case is err, states Gee feels that the property and

child custody settle was unfair. There are no dispute claim from the respondent, Ronnie F. Gee's, no denial of petitioner's statement and records of husband property. She was in default. There are no denial of the respondants, each of them, did not conspired with bribery and obstruction of justice to deprived petitioner's right secured by constitution and law. In addition, there are no argument from the respondents that they didn't violated the laws that deprived petitioner's right. After petitioner filed his complaint against the defendants, he petitioned the trial court in writing for an court appointed attorney. This was denied and the case was dismissed not on material in the pleading. It is coram noe judice and void.

2. Statement of Facts:

a. The assailants and/or conspirators are white citizens-respondents, who acted

acted under color of law embezzeled my property right under Section 1 of the Fourteenth Amendment of the Constitution of United States and deprived equal protected of the laws.

b. In the first divorce action, it was the white citizen acted in false pretense and made prejury claim of community property when the business is operated at loss and on borrowed capital.

c. The Immigration Service refused to acted under the authority of 8 U.S.C. Section 1251 in marriage fraud and granted Rennie F. Gee her American citizenship under petitioner's written protest in accepted her prejury application as petitioner's wife with prejury witness for her application of citizenship.

d. The "justice delay is justice denied" interlocutory hearing is under the control of the white-citizen respondents for their

criminal acts of their extortion against Rennie F. Gee and conspiracy to embezzeled petitionerer's property right.

e. The Immigration Service refused to acted in the recent divorce action and acted in false pretense of loss record and allowed the white-citizen-respondents to made prejury application for Final Judgment of disolution of marraige, prejury judge record, and prejury hearing that concealled from petitioner after respondent, Milton C. Dawson had been discharged in writing, and accepted in writting. In addition, it also violated C.C.P.S. 4425(d) and 4533.

f. The Memorandum of the Ninth Circuit of instant case is discrimination for the white-citizen-respondents, Yick Wo v. Hopkins, 118 U.S. 356.

CONCLUSION

For the reasons stated, petitioner urges

certiorari be issue to review the opinion and judgments which constituted a cruel and unusual punishments when the respondents after embezzeled petitioner's life long saving, taken away his home without due process of law, forced him to lived in a sub-standart living condidtion and debt ripen, threaten to take away his livelihood after petitioner was forced to give up his engineering career and work for it. In additional to the deprivation and violation petitfen's right secured by constitution and laws, petitioner maintains that the above facts have presented an important question of law to his knowledge has not been, but should be, settled by this court.

Respectufully submitted;

ALEXANDER [illegible], In Pro Per
16737 Foothill Blousevard
Fontana, California 92335
Pro Se

AFFIDAVIT OF SERVICE

I, Alexander Gee, in pro per, certity that copies of the forgoing Petition for Certiorarri to the United States Supreme Court have been service to the Respondents, Milton C. Dawson and Rager, Rager & Winstead (3 copies each) and one copy each the respondents, Rennie F. Gee, Duke D. Rouse, and Howard B. Weiner who are in default in their Reply Brief and/or oral argument, and one copy to the United States Court of Appeals for the Ninth Circuit by first class mail.

This the 22nd day of June, 1982.

ALEXANDER GEE
16737 Foothill Boulevard
Fontana, California 92335
Pro Se

FILED

JAN 7, 1982

CLERK, U.S. COURT OF APPEALS

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ALEXANDER GEE, Plaintiff-Appellant, vs. RENNIE F. GEE, MILTON C. DAWSON, DUKE D. ROUSE, HOWARD B. WEINER, RAGER, RAGER & WINSTEAD, Defendants-Appellees	No. 80-5591 D.C. No. 80-2129 MRP MEMORANDUM

Appeal from the United States District Court for the Central District of California
Mariana R. Pfaelzer, District Judge, Presiding

Before: ANDERSON and NORRIS, Circuit Judges, and MUECKE, District Judge*.

BACKGROUND

Alexander Gee filed a confusing pro se complaint under the 1st, 5th, 13th and 14th

*Honorable C. A. Muecke, Chief Judge, United States District Court for the District of Arizona, sitting by designation.

amendment of the United States Constitution and under 42 U.S.C. § 1981, 1982, and 1985, alleging individual and conspiratorial deprivation of property, equal protection under law, and other right. He also asserted breach of contract, defamation, and malpractice claims. This panoply of injustices was alleged to have arisen out of a California marriage dissolution proceeding. Named as defendants in the suit were Gee's former spouse, Rennie Gee, her attorney and his law firm, Gee's attorney, and the court commissioner, and judge who presided over the dissolution proceedings.

Apparently, in 1963, Gee was living in United States and arranged a mail-order bride from China. From Rennie's arrival in the United States and her marriage to the appellant, she comitted acts "unbecoming a wife" and acts of fraud, whereby

her relatives converted large sums of money and valuables from appellant. The Gee were eventually divorced.

Gee feels that the property and child custody settlement was unfair. It seems that his spouse was awarded the children and the family home, while appellant kept the family business, a laundry. Appellant's complaint alleges that the two judges who presided over the dissolution proceedings conspired with his wife and the lawyers on both sides to deprive him his property and a variety constitutional rights.

In the prayer for relief, the complaint sought reformation of the property settlement and money damages. The complaint also premised jurisdiction on various provisions of the immigration laws and in that regard sought an annulment of marraige under the immigration laws and an impeachment of the naturalization of Rennie Gee.

ACTION BY THE COURT BELOW

Ten days after the complaint was filed, the district court dismissed the complaint with prejudice, *sua sponte*, for lack of subject matter jurisdiction. The dismissal occurred prior to the filing of responsive pleadings or even service of process.

Subsequently, appellant filed a "Request for Rescind Order of Dismissal for Lack of Jurisdiction." For the first time Gee alleged racial discrimination, pursuant to 42 U.S.C. § 1983, and cited 28 U.S.C. 1331 (federal question) and 28 U.S.C. § 1361 (district court jurisdiction over the enforcement of Interstate Commission orders). Four days later, the court below entered an order denying the request to rescind the prior order of the court.

ANALYSIS

The order of the district court stated that the basis for its ruling was lack of

subject matter jurisdiction over the claims asserted. A court may dismiss an action, sua sponte, whenever the absence of jurisdiction appears. Fed.R.Civ.P. 12(h)(3); California Diversified Promotion, Inc. v. Musick, 505 F 2d 55, 278, 280 (9th Cir. 1974). Unlike dismissals for failure to state a claim upon which relief can be granted, a court is not required to issue a summons or follow other procedures where subject matter jurisdiction is lacking. Loux v. Rhay, 375 F.2d 55, 58 (9th Cir. 1967).

This Court recently discussed the standard for dismissing a suit for want subjet matter jurisdiction in Franklin v. State of Oregon, State Welfare Division, et. al., Nos. 80-3306, 80-3338 (9th Cir. Dec. 7, 1981). Relying on Supreme Court case law, it was held that dismissal is appropriate "where the alleged claim under Constitu-

tion or federal statutes clearly appears to be made solely for the purpose of obtaoning jurisdiction or where such claim is wholly insubstantial and frivolous." Id., citing Bell v. Hood, 327, U.S. 678, 682-83 (1946).

> the federal courts are without power to enterin claims otherwise within their jurisdiction if they are 'so attenuated and unsubstantial as to be absolutely devoid of merit,' 'wholly insubstantial,' or 'no longer open to discussion.'

Id., citing Hagans v. Lavine, 415 U.S. 528, 536-37 (1974).

Reviewing the claims asserted by the complaint, one quickly finds merit in the district court's finding of lack of jurisdiction. The court obviously does not have jurisdiction under the immigration laws to a scam marriage and order deportation. This is the responsibleity of the attorney general. See 8 U.S.C. § 1251.

The appellant's reliance on the civil

rights statutes is similarly legally frivolous. 42 U.S.C. § 1981 provides that all person within the county may make and enforce contracts, have equal access to the courts, enjoy the benefit of all laws, and the subject to the responsibilities of the citizenry. A reading of the complaint gives no indication as to how these rights, privileges and responsibilities might have been impinged. Further, such a reading does not reveal how the right to hold or convey property is affected, 42 U.S.C. § 1982. Section 1985 requires a deprivation of equal rights arising out of riscrimination Griffin v. Brackenridge, 403 U.S. 88 (1971) The appellant's complaint makes no mention of racial discrimination. While such an allegation is raised in his "Request for Rescind Order of Dismissal for Lack of Jurisdiction," such an unsupported allegation is totally devoid of merit as this

action arose out of a divorce proceeding with his spouse, who is also of Chinese extraction.

The appellant's invocation of the 1st, 5th, 13th and 14th amendments to the United States is also unintelligible. While a federal court will assert jurisdiction in appropriate circumstance, the alleged federal claims must substance sufficient to confer subject matter jurisdiction on the court. See United Mine Workers of America v. Gibbs 383 U.S. 715, 725 (1966). As the complaint did not provide the district court with jurisdiction over the alleged federal claims, the breach of contract, defamation and malpractice counts were properly dismissed.

Although the trial court's dismissal of the action for lack of subject matter jurisdiction was proper, because such a dismissal is not ruling on merits, it may not be dismissed with prejudice. Fed.R.Civ.P.

41(b); Costello v. United States, 356 U.S. 265 (1961); Thomas v. Furness (Pac.) Ltd., 171 F. 2d 434, 435 (9th Cir. 1948). cert. denied 337 U.S. 960 (1949).

Accordingly, the judgment of the district court is AFFIRMED AS MODIFIED.

APPENDIX B

FILED

MAR 26 1982

PHILLIP B. WINBERY
CLERK, U.S. COURT OF APPEALS

IN THE UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ALEXANDER GEE,

Plaintiff-Apellant,

v.

RENNIE F. GEE, MILTON C. DAWSON, DUKE D. ROUSE, HOWARD B. WEINER, RAGER, RAGER & WINSTEAD

Defendants-Appellees.

No. 80-5591

ORDER

Before: ANDERSON and NORRIS, Circuit Judge, and MUECKE, District Judge*

The Panel as constituted in the above case has voted to deny petition for rehearing.

The petition for rehearing is DENIED.

*The Honorable C.A. Muecke, Chief Judge United State District Court for District of Arizona, sitting by designation.

APPENDIX C

FILED

MAY 20 1982
PHILLIP B. WINBERRY
CLERK U.S. COURT OF APPEALS

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ALEXANDER GEE, Plaintiff-Appellant vs. RENNIE GEE, MILTON C. DAWSON DUKE D. MOUSE, HOWARD B. WEINER and RAGER, RAGER & WINSTEAD Defendant-Appellees	Number 80-5591 D.C. Number 80-2119-MRP NOTICE OF APPEAL ON WRIT OF CERTIORARI TO THE UNITED STATES SUPREME COURT

Notice is hereby given that the ALEXANDER GEE, plaintiff-appellant above named, appeals to the United States Supreme Court from denial of appellant,s petition for rehearing filed on March 26, 1982 in the United States Court of Appeals for the Ninth Circuit, puresuant Title 28 U.S.C. 1254(3).

That the judgments of the above-entitled-action entered in the United States Court of Appeals Circuit and in the United States District Court for Central California err in the decision under Artical III Section 2 of the Constitution of the United States and cited cases unrelated to the subject in the violation of the Immigration Laws of the United States. In addition, The opinion below enteraining claim not contained in the pleading and deprived plaintiff's right of default judgments.

Jurisdiction is conferred on the Supreme Court of the United States by Aythority of Title 42 U.S.C.A. 1985 for bribery and conspiracy for the deprivation and violation of appellant's federal right secured by constitution and laws of the United States; Title 42 U.S.C.A. 1983 for violation and deprivation of the laws and constitution of the United States; Title 42

U.S.C.A. 1981 for equal privileges and equal penalities; Title 42 U.S.C.A. 1982 for equal right to convey real and personal property; the Fourteenth Amendment of the United States Constitution for equal right and due process of laws; and by Title 28 U.S.C.A. 1343 (3)(4) and pursuant to the Thirteenth Amendment of the Constitution of the United States to redress the deprivation of rights, privileges and immunities secured thereby.

DATED: May 18, 1982 at Fontana, California.

/s/ ALEXANDER GEE

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